

Congress of the United States
Washington, DC 20515

February 26, 2021

The Honorable Alejandro N. Mayorkas
Secretary
Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Mayorkas,

As Members of the Congressional Venezuela Caucus, and Members who have called for Venezuelan nationals to be permitted to remain in the United States, we write to request information on the current status of the Deferred Enforced Departure (DED) for Venezuelan nationals, including the processes, guidelines and other rules established in connection to their ability to remain lawfully within the United States and apply for an Employment Authorization Document (EAD).

On January 19, 2021, President Donald J. Trump issued a memorandum providing DED for certain Venezuelan nationals who fled the Maduro regime, allowing them to remain in the United States for a period of at least eighteen months. The memorandum's justification for this special status was the dangerous and deteriorating conditions in Venezuela:

“Through force and fraud, the Maduro regime is responsible for the worst humanitarian crisis in the Western Hemisphere in recent memory... The deteriorative condition within Venezuela, which presents an ongoing national security threat to the safety and well-being of the American people, warrants the deferral of the removal of Venezuelan nationals who are present in the United States.”

As the memorandum confirms, and as we have repeatedly asserted, both the well-being of the American people and the perilous situation in Venezuela merits allowing Venezuelan nationals to remain in the United States.

We commended the Trump Administration for providing a reprieve for Venezuelan nationals. However, many of our constituents are now awaiting guidance on the important particulars of their new DED status, such as the documentation required, procedures that must be followed, and how to obtain work authorization. For example, a Venezuelan national must have “continually resided” in the United States prior to January 20, 2021, yet how long the Venezuelan must have “continually resided” in the United States is not specified. Furthermore, as to work authorization, the memorandum instructs the Secretary of Homeland Security “to take appropriate measures to authorize employment for aliens whose removal has been deferred... for the duration of such deferral.” However, the “appropriate measures” regarding employment

authorization have not been specified, and Venezuelan nationals attempting to obtain work authorization have no guidelines or information readily available on how to do so.

For these reasons, and within all applicable rules and regulations, we respectfully request details on the implementation of DED for Venezuelan nationals in the United States, particularly the documentation required and the procedures necessary for obtaining work authorization.

We appreciate your kind attention to this matter of utmost importance and urgency.

Sincerely,



Mario Diaz-Balart
Member of Congress



Carlos A. Gimenez
Member of Congress



María Elvira Salazar
Member of Congress



Jenniffer Gonzalez-Colon
Member of Congress



Michael Waltz
Member of Congress